

### REMARKS

In the above-referenced office action the claims were rejected under 35 USC 101, 102 and 103. Applicant respectfully traverses.

With respect to the double-patenting rejection, Applicant will address the substance of that rejection upon an indication of allowable subject matter.

The Examiner has challenged the sufficiency of the Declaration under 37 CFR 1.131. Applicant has provided a Declaration from Inventor Dublin establishing that an actual reduction to practice occurred on or before November 20, 2003 and test data for this prototype was recorded on this date in the accompanying lab notebook entry. Thus, Applicant respectfully asserts that reduction to practice occurred prior to the effective date of the Rawat et al. reference, thus rendering the rejections moot.

Applicant respectfully asserts that the pending claims are in condition for allowance and requests notice of the same. Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

Date: November 3, 2006

/Daniel G. Chapik/  
Daniel G. Chapik  
Reg. 43,424  
Telephone: (763) 514-3066  
Customer No. 27581